

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 JOHN QUINTERO,

5 Plaintiff,

6 v.

7 ROMEO ARANAS,

8 Defendant.

Case No. 3:17-CV-0066-MMD-CLB

**ORDER GRANTING MOTION
FOR PERMISSIVE JOINDER**

[ECF No. 223]

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10 Before the Court is Plaintiff John Quintero's ("Quintero") motion for permissive
11 joinder of Harold Wickham ("Wickham") to Counts V and VI. (ECF No. 223.) Defendants
12 responded to the motion, (ECF No. 228), and Quintero replied. (ECF No. 233.)

13 Fed. R. Civ. P. 20(a)(2) allows persons to "be joined in one action as Defendants
14 if any right to relief is asserted against them jointly, severally, or in the alternative with
15 respect to or arising out of the same transaction, occurrence, or series of actions or
16 occurrences; and any question of law or fact common to all defendants will arise in the
17 action." Fed. R. Civ. P. 20 is to be construed liberally to promote trial convenience and
18 expedite the final determination of disputes. *League to Save Lake Tahoe v. Tahoe*
19 *Regional Planning Agency*, 558 F.2d 914 (9th Cir. 1977).

20 At the status hearing on September 28, 2021, the Court and the parties discussed
21 the remaining claims V and VI. (ECF No. 219.) The Court advised Quintero that the only
22 named Defendant in Claim V was Defendant Snyder who had died. (*Id.*) Quintero was
23 further advised that if a proper party was not substituted for Snyder, Claim V would
24 necessarily have to be dismissed. (*Id.*)

25 By the current motion, Quintero seeks to join Wickham to Count V because he was
26 a member of the Religious Review Team ("RRT"). The Court's screening order allowed
27 the portion of Count V alleging a Fourteenth Amendment equal protection claim to
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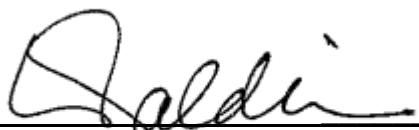
1 proceed against Defendant Snyder and against “the Doe members” of the RRT when
2 Plaintiff learned their identities. (ECF No. 9.) Defendants concede that Wickham “would
3 likely be a proper Defendant” as a current or former member of the RRT. (ECF No. 228.)
4 Although a motion for permissive joinder under Rule 20 may not be the correct procedural
5 motion to name Wickham as a Doe Defendant, for the purposes of judicial economy, the
6 Court will allow Wickham to be joined to the remaining portion of Count V.

7 Quintero also seeks to add Wickham to Count VI which was allowed to proceed to
8 the extent it seeks punitive damages for an Eighth Amendment violation for deliberate
9 indifference to unsafe conditions relating to the guard to inmate ratio. (ECF No. 9.)
10 Quintero claims that he learned in discovery “that Wickham was involved in the final
11 agency decision to reduce the staff inmate ratios in Units 10A and 10B” (ECF No.
12 223 at 2-3.) Defendant argues in opposition that Quintero should be required to file a
13 motion to amend to support this position and the Court should screen any proposed
14 amended complaint. (ECF No. 228.) Again, for the purposes of judicial economy and to
15 prevent further delay of this case that was filed in 2017, the Court will allow Wickham to
16 be joined to the remaining portion of Count VI.

17 Therefore, Quintero’s motion for permissive joinder is hereby **GRANTED**. (ECF
18 No. 223)

19 **IT IS SO ORDERED.**

20 **DATED:** December 10, 2021.

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23 **UNITED STATES MAGISTRATE JUDGE**
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